

Remarks

Claims 1-8 are pending. Reconsideration and allowance in view of the above amendments and following remarks are respectfully requested.

Applicant gratefully appreciates the Examiner's withdrawal of the rejection under 35 U.S.C. 112, first paragraph.

Claims 1, 3, and 5 are rejected under 35 U.S.C. 102(a) over Seacord et al., "A Survey of Black-Box Modernization Approaches for Information Systems," hereafter "Seacord." Claims 2 and 4 are rejected under 35 U.S.C. 103(a) over Seacord in view of Sintas, "Does Java Pass by Reference or Pass by Value," hereafter "Sintas." Claims 6 and 8 are rejected under 35 U.S.C. 103(a) over Seacord in view of "Dictionary of Computing," hereafter "Computing." Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Seacord in view of Computing and Sintas. These rejections are defective because the cited references, taken alone or in any combination, fail to teach or suggest each and every feature set forth in the claims as required by 35 U.S.C. 102(a) and 103(a).

Regarding independent claim 1, Seacord fails to teach or suggest, *inter alia*, an "interface which allows for the distributed processing of logical components of the legacy application by a plurality of different processors over the

Serial No.: 09/781,615

5

network, wherein the EJB interface allows for the distributed processing and the legacy application retains its conventional processing."

In the rejection, the Examiner references the term "distributed" in the bulleted items in section 3.3.3 of Seacord. However, in section 3.3.3 of Seacord, the term "distributed" is directed to Microsoft's "Distributed interNet Architecture," not to EJB component wrapping. Nowhere in Seacord is there disclosure related to the use of EJB component wrapping in a distributed processing environment as set forth in claim 1, nor is there any disclosure related to the distributed processing of logical components (beans) by a plurality of different processors. Indeed, Seacord provides no disclosure regarding how the beans provided by the EJB server are processed by clients attached to the EJB server over a network.

In response to similar arguments set forth in the Amendment filed June 24, 2004, the Examiner alleges that a "server" clearly indicates "distributed" and "plurality of processors." Applicant respectfully disagrees and submits that the term "server" does not imply "distributed processing" as claimed. On the contrary, as known in the art, a "server" is defined as a computer or software application that provides services to other computers connected via a network.

Accordingly, Applicant submits that claim 1 is allowable.

Serial No.: 09/781,615

6

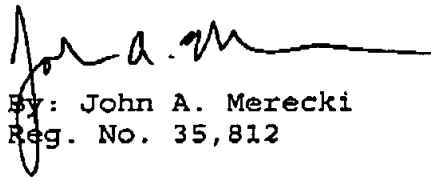
Independent claims 3 and 6 are allowable for similar reasons.

With further regard to claim 3, Seacord fails to teach or suggest "providing an index to the components and the interface," wherein the components are located in different servers. With regard to claim 5 (and similarly claim 8), Seacord fails to teach or suggest "using a shared library accessing a component bean and a library of export symbols." The "single access point to all other points" disclosed by Seacord and cited by the Examiner does not provide an index to the components located in different servers (claim 3), nor a shared library accessing a component bean and a library of export symbols (claims 5 and 8).

Accordingly, Applicant submits that claims 1-8 are allowable.

If the Examiner believes that any further discussion of the invention would be helpful, perhaps in the form of an Examiner's Amendment, Applicant's representative is available at (518) 449-0044, and earnestly solicits such discussion.

Respectfully submitted,



By: John A. Merecki  
Reg. No. 35,812

Date: 12/6/04

Hoffman, Warnick & D'Alessandro LLC  
Three E-Comm Square  
Albany, New York 12207  
518-449-0044  
jmerecki@hwdpatents.com

Serial No.: 09/781,615

7